

Family Educational Rights and Privacy Act (FERPA)

Data Governance Office
Hawaii Department of Education
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What is FERPA?

The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents the right to have access to their children's education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records. When a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student ("eligible student"). The FERPA statute is found at 20 U.S.C. § 1232g and the FERPA regulations are found at 34 CFR Part 99.

- <http://www2.ed.gov/policy/gen/guid/fpco/faq.html>

FERPA Resources

USDOE

Family Policy Compliance Office (FPCO)

<http://www2.ed.gov/policy/gen/guid/fpc/index.html>

FERPA

<http://www2.ed.gov/policy/gen/guid/fpc/ferpa/index.html>

HIDOE

<http://ferpa.k12.hi.us>

Public resources

Employee login

Personally Identifiable Information

- Combinations that link sensitive information
- Degree of risk to cause harm
- Legitimate educational interest

Directory Information

- (see annual notification)
 - Student name
 - Address
 - Telephone
 - Photograph
 - Date and place of birth
 - Major field of study
 - Dates of attendance
 - Grade (class) level
 - Participation in officially recognized activities and sports
 - Weight and height of members of athletic teams
 - Honors and awards received
 - Most recent educational agency, institution, or school attended
 - Graduation date

Not FERPA

- De-identified information
- Aggregate information

FERPA 2011

- New guidelines
 - Comment period ended May 23
 - Pending final guidance
- FERPA Clarification
 - Enforcement provisions of FERPA would be strengthened to ensure that every entity working with personally identifiable information from student education records is using it for authorized purposes only.
 - Schools will be able to implement directory information policies that limit access to student records, preventing marketers or criminals from accessing the data.
 - States can enter into research agreements on behalf of their districts to measure the success of programs, such as early childhood programs that effectively prepare kids for kindergarten.
 - High school administrators can share information on student achievement to track how their graduates perform academically in college.

FERPA training verification

- Go to: <http://ferpa.k12.hi.us>
 - DOE Sign in
 - HIDOE Internet username and password
 - Training
 - View FERPA Training Video
 - Complete Training verification form

National Center for Educational Statistics

- <http://nces.ed.gov/>
Resources and Guides
- Data Ethics
 - <http://nces.ed.gov/pubs2010/2010801.pdf>
- Privacy of Student Information
 - <http://nces.ed.gov/pubs2006/2006805.pdf>
- Building a Culture of Quality Data
 - http://nces.ed.gov/forum/pub_2005801.asp
- Traveling Through Time (Longitudinal Data Systems)
 - <http://nces.ed.gov/pubs2011/2011805.pdf>
- MetaData
 - <http://nces.ed.gov/pubs2011/2011805.pdf>

Privacy Technical Assistance Center

- <http://nces.ed.gov/programs/ptac/>
Technical Briefs
- Data Stewardship
 - <http://nces.ed.gov/pubs2011/2011602.pdf>
- Basic Concepts and Definitions for Privacy and Confidentiality in Student Education Records
 - <http://nces.ed.gov/pubs2011/2011601.pdf>
- Statistical Methods Protecting Personally Identifiable Information
 - <http://nces.ed.gov/pubs2011/2011603.pdf>